

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 4:05CR95-P-B**

**KEVIN MATTHEWS**

**ORDER**

This cause is before the Court on defendant Kevin Matthews' Motion to Suppress [524]. The Court, having reviewed the motion, the response, the authorities cited and being otherwise fully advised in the premises, finds as follows, to-wit:

Defendant seeks suppression of evidence seized pursuant to search warrants, electronic surveillance, wire taps, court orders or other searches and seizures based on lack of probable cause. However, the motion is devoid of any specific factual allegations from which the Court might adjudge the need for a suppression hearing or determine the merits of said motions:

Factual allegations set forth in the defendant's motion . . . must be "sufficiently definite, specific, detailed, and nonconjectural, to enable the court to conclude that a substantial claim is presented." General or conclusionary assertions, founded upon mere suspicion or conjecture, will not suffice.

United States v. Harrelson, 705 F.2d 733, 737 (5<sup>th</sup> Cir. 1983) (citations omitted). Given the defendant's failure to articulate a substantial claim, the Court concludes that the instant motion is without merit and should be denied.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the defendant's Motion to Suppress [524] is not well-taken and should be, and hereby is, DENIED.

SO ORDERED, this the 18<sup>th</sup> day of August, 2006.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE